

REMARKS/ARGUMENTS

The Final Office Action of August 24, 2006 ("Office Action") has been carefully reviewed and these remarks are Applicants' response thereto. Independent claim 1-19, 21-23 and 25-35 are pending. Claim 20 and 24 are cancelled. Claims 1-3, 5, 11, 16, 18, 19, 21, 22, 25-27, 32, 33 and 35 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,496,849 to Hanson *et al.* (Hanson). Claim 4, 6-10, 12-15, 17, 23, 28-31 and 34 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Hanson, alone or in combination with additional references. In response, Applicants respectfully traverse the above rejections in view of the following remarks.

Rejection under 35 U.S.C. § 112, ¶ 1

Claims 1, 11, 16 and 21-22 were rejected under 35 U.S.C. § 112, ¶ 1 as failing to comply with the written description requirement for failing to convey to a person of skill in the art that Applicants had possession of the invention at the time of filing. Applicants respectfully traverse this rejection.

As noted in the Office Action, the specification as filed indicates that unique IDs are associated with each terminal. Furthermore, the IDs are associated with the terminal prior to the terminal being turned on (*see* specification as filed on pg. 6, ln. 22 – pg. 7, ln. 1). The specification as filed on pg. 6, ln. 1-2, explains that when the terminal is turned on it is coupled to the access point and the Internet service provider. The specification as filed on pg. 6, ln. 8-14, then explains that terminal obtains the Internet address of servers and becomes authenticated. Thus, a person of skill in the art would plainly appreciate that Applicants were familiar with the meaning of the term Internet address and used the term where appropriate. However, the specification as filed on pg. 6, ln. 15-20, goes on to discuss a unique identification (ID). Thus, a person of skill in the art would appreciate that the term Internet address and unique ID were used differently and, therefore, the specification plainly indicated that the unique ID was not the same thing as the Internet address. Rather, the specification used the term Internet address when talking about Internet addresses and the term unique ID when talking about unique IDs.

The specification as filed on pg. 7, ln. 12-16, further explains that the terminal are portable and explains that the terminal may be a normal PC with a wireless modem or a mobile

terminal as disclose in the incorporated by reference applications serial number 09/659,416 (for example). A person of skill in the art would appreciate from this that the Internet address of the terminal would change and would not necessarily be unique. For example, a person of skill in the art would appreciate that a first terminal could log into a network and obtain a network address and then log off and then a second terminal could log into the same network and receive the same network address. Thus, a person of skill in the art would appreciate that the terminal's Internet address was something that was assigned when the terminal accessed the Internet. Accordingly, a person of skill in the art would appreciate that the unique ID, which is reserved for the terminal prior to the terminal being turned on, was distinct from the Internet address of the terminal because the Internet address of the terminal would change depending on the global location of the terminal and, therefore, the Internet address could not readily be predicted prior to coupling of the terminal to the network.

In view of the above, Applicants respectfully submit the specification as filed provides more than adequate support for the concept of an ID that is distinct from an Internet address. Accordingly, withdrawal of this ground of rejection is respectfully requested.

Rejection of the Claims – 35 U.S.C. § 102(e) & § 103(a)

Claims 1-19, 21-23 and 25-35 were rejected in view of Hanson, either under 35 U.S.C. §102(e) or 35 U.S.C. § 103(a), along or in combination with additional references. The rejection of all these claims depends on the Office Action's position that Hanson discloses the unique identification (ID) as recited in the pending claims. In particular, the Office Action equates the use of an IP address that may be associated with the web/email client of Hanson with the ID associated with the terminal recited in each of the pending claims. For example, the Office Action suggests that nothing precludes Hanson from including network addresses before the device is switched on. (Office Action, pg. 2). The Office Action also points to the Hanson disclosure about using the suffix of the network address as disclosing this feature. (Office Action, pg. 5). However, as can be appreciated from the plain language of the claim 1, this rejection cannot be maintained because the claim 1 recites the feature "a unique identification (ID), distinct from network addresses of said wireless devices." Furthermore, the mere fact that Hanson potentially could include a network address prior to being switched on fails to support

the rejection because plainly Hanson does not actually disclose this feature and such a feature cannot be said to be inherent in Hanson (by the Office Action's own admission this feature is not required but instead is at most an undisclosed possibility). Thus, Hanson fails to disclose all the features of claim 1 and cannot be said to anticipate or render obvious claim 1, alone or in combination with the references of record.

The remaining independent claims 11, 16, 21 and 22 include a feature similar to the feature of claim 1 that is discussed above. Therefore, for at least the reasons discussed above with respect to claim 1, claims 11, 16, 21 and 22 are not anticipated or rendered unpatentable by the references of record, alone or in combination. The remaining pending claims 2-10, 12-15, 17-19, 23 and 25-35 depend from one of the above independent claims and therefore are not anticipated or rendered unpatentable by the references of record for at least the reasons discussed above and for the additional features recited therein.

Accordingly, withdrawal of this ground of rejection is respectfully requested.

CONCLUSION

All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,

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